

AMENDED IN SENATE APRIL 13, 2004

SENATE BILL

No. 1188

Introduced by Senator Chesbro

February 9, 2004

An act to amend Section 50550.1 of the Health and Safety Code, relating to farmworker housing.

LEGISLATIVE COUNSEL'S DIGEST

SB 1188, as amended, Chesbro. Farmworker housing.

Existing law establishes, among other housing programs, the Workforce Housing Reward Program administered by the Department of Housing and Community Development to provide local assistance for the construction or acquisition of capital assets to cities, counties, and cities and counties that provide land use approval to affordable housing developments, as specified.

This bill would require the department to provide the local assistance pursuant to the above described program to cities, counties, or cities and counties that provide land use approval to ~~group quarters for farmworkers~~ *employee housing, as defined*.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 50550.1 of the Health and Safety Code
- 2 is amended to read:
- 3 50550.1. (a) To the extent that funds are available, the
- 4 department shall provide local assistance grants to a city, county,
- 5 or city and county that issues a building permit for a housing

1 development consisting of newly constructed units or ~~group~~
2 ~~quarters for farmworkers~~ *employee housing, as defined in Section*
3 *17008*, that are affordable to very low or low-income households
4 if all of the following conditions are met:

5 (1) Final land use approval was granted to the development on
6 or after January 1, 2004.

7 (2) (A) In the case of rental units or ~~group quarters for~~
8 ~~farmworkers~~ *employee housing, as defined in Section 17008*, the
9 development is subject to a regulatory agreement recorded against
10 the property that obligates the owner to maintain rents on the
11 restricted units at levels affordable to very low or low-income
12 households for at least 55 years.

13 (B) In the case of ownership housing, units shall be initially
14 sold to households of low- or very low income at an affordable
15 housing cost. If public funds are used to achieve an affordable
16 housing cost, then upon the sale of an assisted unit to a low- or very
17 low income household, the public entity shall ensure the
18 repayment of the public funds and reuse of those funds for
19 affordable housing for a period of at least 20 years. The proposed
20 mechanism for restrictions of ownership units shall be consistent
21 with criteria established by the department and specified in the
22 Notice of Funding Availability.

23 (3) By the end of the 12-month period covered by the Notice
24 of Funding Availability, the city, county, or city and county has an
25 adopted housing element that the department has found pursuant
26 to Section 65585 of the Government Code to be in substantial
27 compliance with the requirements of Article 10.6 (commencing
28 with Section 65580) of Chapter 3 of Division 1 of Title 7 of the
29 Government Code and has submitted to the department the annual
30 progress report required by Section 65400 of the Government
31 Code within the preceding 12 months.

32 (b) For each year that funds are available, the department shall
33 issue a Notice of Funding Availability to cover permits issued
34 during a 12-month time period. The department shall accept
35 applications at the close of the 12-month period. Grant amounts
36 shall be determined as a per-bedroom incentive for each unit
37 restricted for very low and low-income households. The
38 department may determine grant amounts for ~~group quarters for~~
39 ~~farmworkers~~ *employee housing, as defined in Section 17008*
40 separately. For the purposes of this section single-room

1 occupancies and studio apartments shall be considered as
2 one-bedroom units. The grant for very low income units shall be
3 greater than the grant for low-income units. If the eligibility for
4 funds exceeds the amount of funding available for this program,
5 the department shall reduce all grants proportionally.

6 (c) A city, county, or city and county that qualified for a grant
7 from the Jobs-Housing Balance Incentive Grant Program pursuant
8 to Section 50544 during the 2001 calendar year shall receive an
9 additional amount of funds for each bedroom that qualifies under
10 this section. The department shall determine the amount of the
11 bonus grant to be awarded pursuant to this subdivision.

12 (d) *Nothing in this section shall be construed to authorize a*
13 *local agency to meet any portion of its regional housing needs*
14 *allocation, pursuant to Section 65584 of the Government Code, by*
15 *providing or authorizing others to provide employee housing, as*
16 *defined in Section 17008, that does not qualify as a housing unit*
17 *as defined by the United States Bureau of the Census as interpreted*
18 *by the Department of Finance and the Department of Housing and*
19 *Community Development.*

